

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

PETER D. DAVIS

v.

MICHAEL J. ASTRUE
Commissioner of Social
Security Administration

CIVIL ACTION

NO. 09-6001

FILED

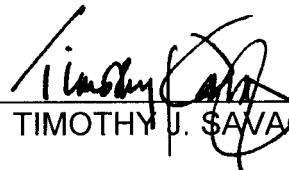
DEC 23 2010

MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

ORDER

AND NOW, this 23rd day of December, 2010, upon consideration of the plaintiff's Complaint requesting review (Document No. 1), the defendant's answer to the complaint (Document No. 8), defendant's response to request for review (Document No. 12), the Report and Recommendation of United States Magistrate Judge Henry S. Perkin (Document No. 14), the lack of any objection to the Report and Recommendation, and after a thorough and independent review of the record, it is **ORDERED** as follows:

1. The Magistrate Judge's Report is **APPROVED** and the Recommendation is **ADOPTED**;
2. The plaintiff's Request for Review is **GRANTED IN PART** and **DENIED IN PART**; and
3. Pursuant to the fourth sentence of 42 U.S.C. § 405(g), this case is **REMANDED** to the Commissioner of Social Security for further proceedings consistent with the Report and Recommendation.


TIMOTHY J. SAVAGE, J.